



08-16-04

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

ADDRESS TO:	Mail Stop RCE Commissioner for Patent P.O. Box 1450 Alexandria, VA 22313-1450	Application No. Filing Date First Named Inventor Group Art Unit Examiner Name Attorney Docket No.	09/478,099 January 5, 2000 Adamis 1632 Falk, Anne Marie MEE-005
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This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTES

RCE v. CPA: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA.

FEE AND SUBMISSION REQUIRED: A submission as used in this section includes, but is not limited to, an information disclosure statement; an amendment to the written description, claims, or drawings; new arguments; or new evidence in support of patentability. If reply to an Office action under 35 U.S.C. 132 is outstanding, the submission must meet the reply requirements of § 1.111 (see 37 C.F.R. 1.114 (c)).

RCE APPLIES TO: An application in which prosecution is closed (see 37 C.F.R. § 1.114 (b)).

RCE DOES NOT APPLY TO: (1) A provisional application; (2) an application for a utility or plant patent filed under 35 U.S.C. 1.11(a) before June 8, 1995; (3) an international application filed under 35 U.S.C. 363 before June 8, 1995; (4) an application for a design patent; or (5) a patent under reexamination (see 37 C.F.R. 1.114(e)).

1. SUBMISSION REQUIRED UNDER 37 C.F.R. § 1.114

- a. Enter and consider the unentered amendment under 37 C.F.R. § 1.116 previously filed on _____.
- b. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
- c. Amendment/Response enclosed.
- d. Declaration by Karen G. Carrsquillo, Ph.D., under 37 CFR 1.132 enclosed.
- e. Information Disclosure Statement (IDS) enclosed.
 - i. PTO-1449
 - ii. Copies of IDS Citations
- f. Other _____

2. RCE FEE REQUIRED UNDER 37 C.F.R. § 1.114

- a. Small entity status
 - i. was established in the prior nonprovisional application.
 - ii. is established herewith by the enclosed written assertion of entitlement to small entity status.
- b. A Petition and Fee for Extension of Time for 3 months up to and including August 13, 2004 is enclosed herewith.
- c. A check in the amount of \$ 860.00 to cover the RCE fee (\$385.00) and Extension of Time fee (\$475.00) is enclosed.
- d. The Commissioner is hereby authorized to charge the required fee(s), i.e., \$ _____, to Deposit Account No. 20-0531.
- e. The Commissioner is hereby authorized to credit overpayments or charge any additional fees required for this submission under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 20-0531.

08/17/2004-AWONDAF1 00000014-09478099

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3. MISCELLANEOUS

a. Return Receipt Postcard enclosed.
b. Other _____.

CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
<p>Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibeault, LLP High Street Tower 125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100</p>	<p>Respectfully submitted,  Duncan A. Greenhalgh Atty/Agent for Applicant(s) Testa, Hurwitz & Thibeault, LLP High Street Tower 125 High Street Boston, MA 02110</p>

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PATENT

Attorney Docket No. MEE-005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Adamis *et al.*

SERIAL NO.: 09/478,099 GROUP NO.: 1632

FILING DATE: January 5, 2000 EXAMINER: Anne-Marie Falk

TITLE: TARGETED TRANSSCLERAL CONTROLLED RELEASE DRUG
DELIVERY TO THE RETINA AND CHOROID

Mail Stop RCE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

AMENDMENT AND RESPONSE TO OFFICE ACTION

Responsive to the Office Action for the above-identified patent application, mailed from the U.S. Patent and Trademark Office on February 13, 2004, please extend the date for response by three months up to and including August 13, 2004. Applicants include a petition and a check to cover the extension fee. Please charge any additional extension fees to Deposit Account No. 20-0531.

REQUEST FOR TELEPHONIC INTERVIEW

The undersigned respectfully requests a telephonic interview with Examiner Falk *prior* to issuance of a further Office Action in the instant application. The undersigned believes that an interview with Examiner Falk may be sufficient to resolve any issues remaining in the case. The Examiner is invited to call Duncan A. Greenhalgh at 617-248-7317 to arrange a convenient time for the interview.